

Dean Gazzo Roistacher LLP
Lee H. Roistacher, Esq. (SBN 179619)
Kimberly A. Sullivan, Esq. (SBN 317857)
440 Stevens Avenue, Suite 100
Solana Beach, CA 92075
Telephone: (858) 380-4683
Facsimile: (858) 492-0486
E-mail: lroistacher@deangazzo.com
ksullivan@deangazzo.com

Attorneys for Defendants
State of California by and through California
Highway Patrol and Officer Ramon Silva

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SANDRA KIRKMAN AND
CARLOS ALANIZ,
INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED.

Plaintiff,

v.
STATE OF CALIFORNIA;
RAMON SILVA; AND DOES 1-10,
INCLUSIVE

Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

**DECLARATION OF CAROLYN
LLOYD IN SUPPORT OF
DEFENDANTS' NOTICE OF
MOTION TO MODIFY
SCHEDULING ORDER**

Date: February 7, 2025
Time: 9:30 a.m.
Dept: 8C
Judge: Hon. Dolly M. G.

Complaint Filed: July 28, 2023
Trial Date: April 15, 2025

I, Carolyn Lloyd, declare:

1. I am Chief Counsel for the California Highway Patrol (“CHP”).

2. I have personal knowledge of all of the matters stated herein and, if called as a witness, I could competently testify thereto.

3. Throughout this litigation, CHP and Officer Ramon Silva were represented by the California Attorney General's Office ("AGO").

4. Absent a conflict, CHP and its officers must be represented by the AGO. Conflicts arise in less than 99% of the cases involving CHP and its officers. Thus, CHP has very few relationships and limited experience with counsel outside the AGO. When a conflict does arise, CHP must look to a limited number of

1 attorneys outside of the AGO for representation that CHP has previously vetted,
2 approved and used. That number is reduced in officer involved civil rights cases
3 like this one.

4 5. The AGO issued its conflict letter to defendants on November 20,
5 2024, advising that it had to withdraw from representing CHP and Officer Silva.
6 Neither CHP nor Officer Silva made this decision.

7 6. CHP contacted Lee H. Roistacher of Dean Gazzo Roistacher LLP. He
8 has represented CHP and its officers in conflict cases many times since 2012,
9 including civil rights use of force cases. CHP turns to Roistacher in cases like this
10 because of his litigation experience and because of CHP's experience and long-
11 term relationship with Roistacher.

12 7. Roistacher initially declined representation because of the scheduling
13 order dates and press of other business, including another case going to trial in
14 February 2025 where he represents CHP and an officer.

15 8. I subsequently informed Roistacher that there was no other counsel
16 with whom CHP had an existing relationship that I felt comfortable representing
17 CHP and Officer Silva in this case, particularly given the timing of the conflict
18 declaration in the last stages of this case's litigation. I would have had to contact
19 counsel not previously utilized with whom I had no prior experience.

20 9. Roistacher conditionally agreed to the representation if the Court
21 continued the scheduling order dates. After the Court issued its December 12,
22 2024, order, Roistacher agreed to the representation and executed substitution of
23 counsel forms.

24 I declare under penalty of perjury under the laws of the United States that
25 the foregoing is true and correct and that this declaration was executed on January
26 02, at Sacramento, California.

27 /s/ Carolyn Lloyd
28 Carolyn Lloyd, declarant